

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

|  |   |              |
|--|---|--------------|
| MISHA TAYLOR                               | : | CIVIL ACTION |
| <i>By Her Natural Parent and Guardians</i> | : |              |
| <i>Terrance Taylor and Johanne Louis</i>   | : | No. 15-6682  |
|  | : |              |
| v.   | : |              |
|  | : |              |
| OFFICER JOSEPH MAZZONE, et al.             | : |              |

**ORDER**

AND NOW, this 12th day of August, 2016, upon consideration of Defendants Officer Joseph Mazzone, Upper Darby Township, Upper Darby School District, Frances McElhenney, Gregory Manfre, Ph.D., and Daniel McGarry, Ph.D.'s Motions to Dismiss and Plaintiff Misha Taylor's response thereto, and following a February 17, 2016, oral argument, it is ORDERED the Motions (Documents 10, 12, and 14) are GRANTED for the reasons set forth in the accompanying Memorandum. Taylor's Complaint is DISMISSED as follows:

- Count I insofar as it alleges a false detention, arrest, and imprisonment claim pursuant to 28 U.S.C. § 1983 against Mazzone, Count II, and Count III insofar as it alleges a state law malicious prosecution claim against Mazzone, McElhenney, Mafre, and McGarry are dismissed WITHOUT prejudice.
- Count I insofar as it alleges a malicious prosecution claim pursuant to 28 U.S.C. § 1983 against Mazzone, Count III insofar as it alleges a malicious prosecution claim pursuant to 28 U.S.C. § 1983 against Mazzone, McElhenney, Manfre, and McGarry, Count IV, Count V, and Count VI are dismissed WITH prejudice.

It is further ORDERED Taylor may file an Amended Complaint curing the pleading deficiencies in Counts I, II, and III identified by the Court's Memorandum on or before August 26, 2016.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.